

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

915U0403

SENATE TAXATION ENGROSSED NO. **SB 156** - 01/28/2013

Introduced by: Senators Krebs, Frerichs, Rave, Tieszen, Van Gerpen, Vehle, and White and
Representatives Verchio, Bartling, Feickert, Hansen, Hickey, Rounds, and
Rozum

1 FOR AN ACT ENTITLED, An Act to authorize township boards to increase the front foot
2 assessment for road maintenance, repairs, and improvements and to revise certain provisions
3 concerning road districts established by townships.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 31-13-51 be amended to read as follows:

6 31-13-51. The township board of supervisors or, in the case of any township which is no
7 longer organized, the board of county commissioners, prior to the assessment of real property
8 within the township, or unorganized township, for the next fiscal year, may levy annually for
9 the purpose of maintaining or repairing street surfaces, whether of a permanent type or not, a
10 special front foot assessment not to exceed ~~eighty cents~~ two dollars per front foot upon the real
11 property fronting and abutting the roadway. Such assessment shall be apportioned on a front
12 foot basis and shall be levied pursuant to § 31-13-52. If the board of county commissioners is
13 levying a special assessment on real property pursuant to this section, the board of county
14 commissioners shall perform the duties, as applicable, that are required of the township board



of supervisors pursuant to §§ 31-13-32 to 31-13-54, inclusive.

Section 2. That § 31-13-15 be amended to read as follows:

31-13-15. Each organized township ~~in the state has power to~~ may divide the township roads or streets in ~~said~~ the township into road districts which shall include not more than ~~one-half~~;

(1) One-half mile of township road ~~not more than three~~;

(2) Three miles of streets in an unincorporated town; or

(3) Five miles of streets in a rural subdivision as defined in § 31-13-32.

Section 3. That § 31-13-17 be amended to read as follows:

31-13-17. At the time and place of hearing pursuant to § 31-13-16, the board of supervisors shall consider the petition ~~and if in the opinion of. If~~ the supervisors determine it ~~shall be~~ ~~considered~~ advisable, ~~they~~ the supervisors may, by resolution, assess such properties in the road district for purposes of road improvement for ~~such an~~ an amount as the supervisors determine advisable; The assessment may not to exceed the amount set forth in the petition and in no event ~~more than seventy-five cents~~ may the assessment exceed two dollars a foot front in any one calendar year. ~~Such assessments~~ The assessment shall be certified to the county and collected as a part of the real estate taxes against the property so assessed and ~~shall~~ may only be used by the township ~~only~~ for the purpose of road improvement in the road district, or part thereof, in which assessed.